REMARKS

Comments of the applicant are preceded by related comments of the examiner.

1. Claims 1-6, 8, 10-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Chirashnya et al. US Patent No. 7, 113,988. Chirashnya teaches the invention as claimed including a method for diagnosing faults and alarms on a causal network (see abstract).

2. As per claim 1 and 10, Chirashnya teaches a method comprising and an apparatus comprising a network element having

processing information to identify network faults that cause or are caused by other network faults that contribute to a failure of a network element in which at least some of the network faults are occurring (agents gather systems events on a causal network and send the events to an event collector; column 3, lines 17-30, column 7, lines 54-65; column 8, lines 50-65; column 15, lines 29-45);

based on the results of the information processing, generating traps with respect to fewer than all of the network faults that are occurring (alarms are generated with each event; column 9, lines 46-49; column 10, lines 6-20; column 13, lines 1-10); and

sending the traps to a network management station (events are sent to the primary event collector 32 running on the primary node 26; column 7, lines 54-65; column 10, lines 6-20).

The examiner appears to read "trap" as corresponding to "alarm." Even with such a correspondence, the applicant submits that claim 1 is not anticipated by Chirashnya.

Generally, the modules of Chirashnya report an alarm for each detected fault condition. (see col. 9, lines 47-48). In some cases, the modules of Chirashnya do not issue an alarm at every occurrence of a fault, but rather accumulate a number of occurrences and issue a batch alarm. (see col. 13, lines 1-3). Col. 13, lines 4-10 of Chirashnya appears to suggest that a batch alarm is generated by a module when the number of occurrences of a particular fault exceeds a low/high threshold. Chirashnya provides no disclosure of generating a batch alarm based on the results of "processing information to identify network faults that cause or are caused by other network faults." Any processing of information that takes place in the Chirashnya system to identify network faults that cause or are caused by other network faults occurs *after* an alarm is issued by a module. See bolded text in the Abstract of Chirashnya below:

A method for diagnosis of a system made up of a plurality of interlinked modules includes receiving an alarm from the system indicative of a fault in one of the modules. ***Responsive to the alarm, a causal network is constructed associating the fault with malfunctions in one or more of the modules that may have led to the fault and relating a conditional***

probability of the fault to respective probabilities of the malfunctions.
Based on the alarm and the causal network, at least one of the probabilities of the malfunctions is updated. A diagnosis of the alarm is proposed responsive to the updated probabilities.

The applicant respectfully submits that Chirashnya does not disclose and would not have made obvious "processing information to identify network faults that cause or are caused by other network faults and that contribute to a failure of a network element in which at least some of the network faults are occurring, [and] based on the results of the information processing, generating traps with respect to fewer than all of the network faults that are occurring ..." as recited in claim 1.

For at least the foregoing reasons, claim 1 is patentable. Each of claims 10, 11, and 13 has limitations corresponding to the limitations of claim 1 and is patentable for at least the same reasons. All of the dependent claims are patentable for at least the same reasons given with respect to the claims from which they depend.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No 12144-010001.

Respectfully submitted,

Date: 2/27/07

Mandy Jubang
Reg. No. 45,884

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21559274.doc